

REMARKS

Applicants have carefully considered the March 15, 2006 Office Action regarding the above-identified application, and the claim amendments above together with these remarks are presented in a bona fide effort to respond thereto and address all issues raised in that Action.

The independent claims have been amended to add recitations regarding “a virtual path communication,” which Applicant believes will patentably distinguish the claims over the applied art. Several dependent claims also are amended to correct typographical errors. Care has been taken to avoid entry of new matter. The “virtual path communication,” for example, is supported in the original description, e.g. in the last line on page 9.

For reasons discussed below, it is believed that this case is in condition for allowance. Applicant respectfully requests a prompt favorable reconsideration of this amended application.

The latest Office Action rejected claims 9-36 over a combination of U.S. Patent No. 6,581,108 to Denison in view of newly applied U.S. Patent No. 6,832,322 to Boden et al. (hereinafter Boden). Although initially stated as anticipation rejection under 35 U.S.C. §102, the detailed explanation sets forth the rationale for an obviousness rejection (see first two paragraphs on page 4 of the Action). Examiner Chankong confirmed by telephone on March 22, 2006 that this art rejection actually is an obviousness rejection under 35 U.S.C. §103.

In response to the art rejection, Applicant has amended each independent claim to recite provision of a virtual path communication. The last paragraph of each of claims 19 and 28 recites providing a virtual path communication, by transmitting the management protocol proxy data to another management protocol proxy designated by the transmission destination address. The last paragraph of apparatus claim 9 recites that the communication unit transmits the management protocol proxy data to another management protocol proxy designated by the transmission destination address to provide a virtual path communication. It is respectfully

submitted that the combination of Denison and Boden would not suggest the recited transmission providing a virtual path communication. As amended, the independent claims should patentably distinguish over the cited documents.

It is believed that the Examiner concurs with regard to the noted patentable distinction over the art. On March 9, 2006, Examiner Chankong called Applicant's representative Keith George and kindly indicated that the above-identified application would be allowable if the independent claims were amended to specify "a virtual communication path" and offered to enter such a change by Examiner's amendment. Agreement was not reached at that time, and since Applicant did not authorize the Examiner's amendment, the new Office Action issued on March 15, 2006. However, in the March 22, 2006 telephone discussion, Examiner Chankong maintained that the independent claims would be allowable if amended to specify "a virtual communication path." The Examiner's attention and assistance in identifying patentable subject matter is much appreciated.

Hence, it is believed that the amendments above to recite a virtual communication path in each independent claim patentably distinguishes all claims over the combination of Denison and Boden and renders the art rejection moot. Claims 9-36 remain active in this application. All of the claims should be novel and patentable over the art applied in the Action. Applicant therefore submits that all of the claims are in condition for allowance. Accordingly, this case should now be ready to pass to issue; and Applicant respectfully requests a prompt favorable reconsideration of this matter.

It is believed that this response addresses all issues raised in the March 15, 2006 Office Action. However, if any further issue should arise that may be addressed in an interview or by

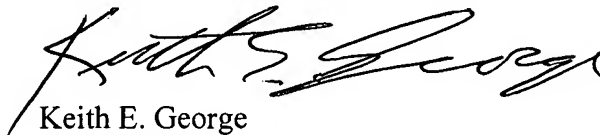
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an Examiner's amendment, it is requested that the Examiner telephone Applicants' representative at the number shown below.

To the extent necessary, if any, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Keith E. George
Registration No. 34,111

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8603 KEG:apr
Facsimile: 202.756.8087
Date: May 17, 2006

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